

Washington State Legislature

12.1 Introduction

In 1974 the Washington State Legislature passed the Forest Practices Act declaring that:

“forest land resources are among the most valuable of all resources in the state; that a viable forest products industry is of prime importance to the state's economy; that it is in the public interest for public and private commercial forestlands to be managed consistent with sound policies of natural resource protection; that coincident with maintenance of a viable forest products industry, it is important to afford protection to forest soils, fisheries, wildlife, water quantity and quality, air quality, recreation, and scenic beauty” (RCW 76.09.010).

The Act was the state’s first comprehensive law addressing the impact of forest practices on the environment. The Act also created the Board which sets the specific standards that are the basis for the forest practices program.

Each year DNR monitors laws being passed by the Washington State Legislature for those that could impact the forest practices program. Section 12.2 describes the laws passed in the 2007 Washington State legislative session that could impact the forest practices program. There were no new laws that would result in a change in protection of habitat for the species covered in the FPHCP. Three bills that were passed will minimally impact processes in the forest practices program (Substitute House Bill (SHB) 1409, 2 Substitute Senate Bill (SSB) 5883, and SSB 6141). These were related to transferring jurisdiction to local governing entities when a forest practice is actually a conversion of land from forestry to another land use and forest health.

Periodically the Legislature requires DNR to submit reports to the legislative body describing the impacts or implementation of certain laws the Legislature passed. One on-going report that is required is a Small Forest Landowner Office Report. As described in Section 5.1 the Small Forest Landowner Office was established by the Legislature in 1999 to serve as a resource for small forest landowners. This report answers questions asked by the state Legislature regarding demographics on non-industrial private forests and woodlands and makes recommendations for incentives-based forest management policies that protect public resources on small forestlands. The report is submitted every 4 years. The last report was written and submitted in 2004 and the next report will be submitted in 2008. This year there were no reports submitted to the Legislature related to the forest practices program.

Selected 2007 Washington State Laws Affecting the Forest Practices Program
A Report to U.S. Fish & Wildlife Service and NOAA Fisheries
by Leonard Young, Forest Practices Division Manager
Washington State Department of Natural Resources
July 9, 2007

Bill #	Title ("AN ACT relating to ...")	Provisions	Status	Effect*
HB 1077	... the public disclosure of sensitive fish and wildlife data	- sensitive fish and wildlife data may be released to landowners, tribes, and certain other organizations > reduces "fear of the unknown", promotes collaborative conservation	passed House 95-0; Senate amended and passed 37-9; House concurred w/ Senate amendments, passed 94-1; Governor signed May 2	indirect
SHB 1409	... the transfer of jurisdiction over conversion-related forest practices to local governments	- changes the process whereby local governments can assume regulatory authority for forest practices within urbanizing areas > simplifies the transfer of regulatory authority: Growth Management Act (GMA) and clearing-and-grading ordinances vs. special ordinances equating to the Forest Practices Rules pursuant to the GMA	passed House 94-0; Senate amended and passed 48-0; House concurred w/ Senate amendments and passed 95-0; Governor signed April 30	direct
SHB 1513	... the excise taxation of forest products businesses	- clarifies taxation procedures - allows small producers a \$100,000 per year deduction from b & o tax, and exempts small producers from annual reporting requirements - exempts timber sales where seller requires harvest within 30 months from excise taxation; such sales would continue to be subject to b & o tax > supports small producers > maintains revenue flow into Forests and Fish Support Account	passed House 98-0; passed Senate 46-0; Governor signed April 17	indirect
EHB 1525	... regulatory fairness for small businesses	- directs agencies preparing Small Business Environmental Impact Statements (SBEISs) to explain why a rule's financial impacts on small businesses can't be reduced - authorizes selective review of SBEISs by the joint administrative rules committee	passed House 97-1; Senate amended and passed 49-0; House concurred w/ Senate amendments and passed 97-1; Governor signed April 30	indirect

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Bill #	Title ("AN ACT relating to ...")	Provisions	Status	Effect*
SHB 2008	... cooperative agreements concerning the timber harvest excise taxation of timber harvests on fee lands within the boundaries of the Quinault Indian Reservation	- authorizes the Governor to enter into a contract with the Quinault Indian Nation governing collection and disposition of timber harvest excise tax from fee lands within the boundaries of the Quinault Indian Reservation > raises jurisdictional issues	passed House 63-33; passed Senate 48-1; Governor signed April 17	indirect
ESSB 5372	... the Puget Sound Partnership	- creates a new state agency, the Puget Sound Partnership, which replaces the Puget Sound Action Team, with broad responsibilities related to restoring the health of Puget Sound > possible conservation synergy > possible overlap of responsibilities	passed Senate 31-5; House amended and passed 86-12; Senate concurred w/ amendments and passed 43-4; Governor signed May 7	indirect
2SSB 5883	... the conversion of forest land to non-forestry uses	- changes procedures for notifying local governments of conversion-related forest practices > simplifies notification procedures and eliminates unintended consequences to small forest landowners	passed Senate 46-0; passed House 97-0; Governor signed April 18	direct
SSB 6141	... forest health	- establishes a 3-tiered system for addressing forest health issues > exempts FPAs for forest health hazard reduction activities carried out by DNR or a DNR contractor from landowner signature requirement > FPAB hears appeals of forest health hazard orders (Tier 3)	passed Senate 49-0; passed House 94-0; Governor signed May 14	direct

*direct = changes Chapter 76.09 RCW (Forest Practices Act) or Chapter 43.21C RCW (State Environmental Policy Act); indirect = changes another law that intersects the Forest Practices program